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Attorney Docket P1747R1D1C1  
PATENT

EV 351927914 US: Express Mail Number

June 20, 2003: Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NON-PROVISIONAL APPLICATION TRANSMITTAL UNDER 37 CFR 1.53(b)**

Transmitted herewith for filing is a non-provisional patent application:

Inventor(s) (or Application "Identifier"):

Russell L. Dedrick, Kensington, California  
Marvin R. Garovoy, San Anselmo, California  
Susan M. Kramer, San Francisco, California  
Karen M. Starko, Hillsborough, California

Title: **Treatment Method**

**1. Type of Application**

- ☐ This application is for an original, non-provisional application.
- ☐ This is a non-provisional application claiming priority to provisional application no. \_\_, filed \_\_, the entire disclosure of which is hereby incorporated by reference.
- ☒ This is a ☐ continuation-in-part ☒ continuation ☐ divisional application claiming priority to application Serial Number 09/819,921, filed March 28, 2001, which is a divisional of application Serial Number 09/527,957, filed March 17, 2000, which claims the benefit under 35 U.S.C. §119(e)(1) of application Serial Number 60/125,228, filed March 19, 1999, and application Serial Number 60/125,351, filed March 19, 1999, the entire disclosures of which are hereby incorporated by reference.

**2. Papers Enclosed Which Are Required For Filing Date Under 37 CFR 1.53(b)  
(Non-provisional)**

25 pages of specification  
3 pages of claims  
1 page(s) of abstract  
10 sheet(s) of drawings  
☒ formal ☐ informal

3. **D eclaration or Oath**

*(for new and CIP applications; also for Cont./Div. where inventor(s) are being added)*

\_\_\_ An executed declaration of the inventor(s) ☐ is enclosed ☐ will follow.

*(for Cont./Div. where inventorship is the same or inventor(s) being deleted)*

X  A copy of the executed declaration/oath filed in the prior application is enclosed (37 CFR 1.63(d)).

*(for Cont./Div. where inventor(s) being deleted)*

\_\_\_ A signed statement is attached deleting inventor(s) named in the prior application (see 37 CFR 1.63(d)(2) and 1.33(b)).

4. **Assignment**

*(for new and CIP applications)*

\_\_\_ An Assignment of the invention to GENENTECH, INC. ☐ is enclosed with attached Recordation Form Cover Sheet ☐ will follow.

*(for cont./div.)*

X  The prior application is assigned of record to Genentech, Inc and Xoma Technology Ltd.

5. **Amendments (for continuation and divisional applications)**

\_\_\_ Cancel in this application original claims \_\_\_ of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)

\_\_\_ A preliminary amendment is enclosed. (Claims added by this amendment have been properly numbered consecutively beginning with the number next following the highest numbered original claim in the prior application.)

**6. Fee Calculation (37 CFR 1.16)**

The fee has been calculated as follows:

CLAIMS FOR FEE CALCULATION					
Number Filed		Number Extra		Rate	Basic Fee 37 CFR 1.16(a)
					\$750.00
Total Claims	33	- 20 =	13	X \$18.00	\$234.00
Independent Claims	2	- 3 =	0	X \$84.00	\$0.00
<input checked="" type="checkbox"/> Multiple dependent claim(s), if any				+ \$280.00	\$280.00
Filing Fee Calculation					\$1,264.00

**7. Method of Payment of Fees**

The Commissioner is hereby authorized to charge Deposit Account No. 07-0630 in the amount of \$1,264.00. **A duplicate copy of this transmittal is enclosed.**

**8. Authorization to Charge Additional Fees**

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR §1.16 and 1.17, or credit overpayment to Deposit Account No. 07-0630. **A duplicate copy of this transmittal is enclosed.**

**9. Additional Papers Enclosed**

- ☒ Information Disclosure Statement (37 CFR §1.98) w/ PTO-1449 and citations  
☐ Submission of "Sequence Listing", computer readable copy, certificate re: sequence listing, and/or amendment pertaining thereto for biological invention containing nucleotide and/or amino acid sequence.  
☐ A new Power of Attorney or authorization of agent.  
☐ Other:

**10. Maintenance of Copendency of Prior Application (for continuation and divisional applications)**  
*[This item must be completed and the necessary papers filed in the prior application if the period set in the prior application has run]*

- \_\_\_\_\_ A petition, fee and/or response has been filed to extend the term in the pending prior application until \_\_\_\_\_  
 \_\_\_\_\_ A copy of the petition for extension of time in the **prior** application is attached.

11. **C rrespondence Address:**

X Address all future communications to:

Attn: Lee K. Tan, Ph.D.

Respectfully submitted,  
GENENTECH, INC.

Date: June 20, 2003

By: \_\_\_\_\_

*Lee Tan*

Lee K. Tan, Ph.D.

Reg. No. 39,447

Telephone No. (650) 225-4462



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